

1761  
U.S.PTO**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Anticipated Classification  
Of this Application:  
Class \_\_\_\_\_ Subclass \_\_\_\_\_

Prior Application:  
Exam'r: **Jezia Riley**  
Prior Group Art Unit: **1637**

Attorney's  
Docket No.:  
**Enz-61(D3)**

**FILED BY EXPRESS MAIL**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

17354 U.S.PTO  
10/763102  
012204

Sir:

This is a request for filing a \_\_\_\_\_ CONTINUATION  DIVISIONAL \_\_\_\_\_  
CONTINUATION-IN-PART application under  37 CFR §1.53(b), of  
pending prior application Serial No. 10/096,075 filed on March 12, 2002  
of Stavrianopoulos et al.

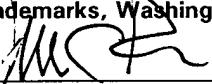
Inventor(s)

for

**LABELING REAGENTS AND LABELED TARGETS,  
TARGET LABELING PROCESSES AND OTHER PROCESSES  
FOR USING SAME IN NUCLEIC ACID DETERMINATIONS AND ANALYSES**

Title of Invention

1.  Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2.  Small entity status was previously established in a prior application and is still applicable.

|   |                  |
|---|------------------|
| <b>EXPRESS MAIL CERTIFICATE</b>   |                  |
| <b>"Express Mail" Label No. EL833441824US</b>   |                  |
| Deposit Date  | January 22, 2004 |
| I hereby certify that this paper and the attachments<br>herein are being deposited with the United States Postal<br>Service "Express Mail Post Office to Addressee" service<br>under 37 CFR 1.10 on the date indicated above and is<br>addressed to the Commissioner of Patents and<br>Trademarks, Washington DC 20231. |                  |
| <br>Ronald C. Fedus<br>Reg. No. 32,567   |                  |
| JAN 22 2004<br>Dat  |                  |

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

3.  The filing fee is calculated as follows:

| CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT             |  |   |              |   |              |              |   |              |              |
|---|--|---|--------------|---|--------------|--------------|---|--------------|--------------|
|   |  |   |              |   | RATE         |              |   | FEE          |              |
|   | Number Filed                                     |   | Number Extra |   | Small Entity | Other Entity |   | Small Entity | Other Entity |
| Total Claims  | 76   | = | 56           | x | \$ 9         | \$ N/A       | = | \$504        | \$ ---       |
| Independent Claims  | 4  | = | 1            | x | \$ 43        | \$ N/A       | = | \$ 43        | \$ ---       |
| Multiple Dependent Claims Presented:                                | _____ Yes <input checked="" type="checkbox"/> No |   |              |   | \$135        | \$270        |   | \$ --        | \$ ---       |
| * If the difference in Col. 1 is less than zero, enter "0" in Col.2 |  |   |              |   |              | BASIC FEE    |   | \$385        | \$ ---       |
|   |  |   |              |   |              | TOTAL FEE    |   | \$932        | \$ ---       |

4.  The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any additional filing fees required under 37 CFR §1.16.

Any patent application processing fees under 37 CFR §1.17.

5.  The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

\_\_\_\_\_ Any filing fees under 37 CFR §1.16 for  
presentation of extra claims.

6. \_\_\_\_\_ A check in the amount of \$ \_\_\_\_\_ is enclosed.

7. X Cancel claim 2-286

8. X Amend the specification by inserting before the first line of the  
sentence: ---- This is a \_\_\_\_\_ continuation, X divisional  
of U.S. Patent Application Serial No. 10/096,075, filed on  
March 12, 2002.---

9. \_\_\_\_\_ Transfer the drawings from the prior application.

10. X Informal X Formal \_\_\_\_\_ drawings are enclosed.

11. \_\_\_\_\_ Abandon said prior application as of the filing date accorded this  
application. A **duplicate** copy of this sheet is enclosed for filing  
in the prior application file.

12. \_\_\_\_\_ Priority of application Serial No. \_\_\_\_\_ filed on  
\_\_\_\_\_ is claimed under 35 U.S.C. §119.

\_\_\_\_\_ The certified copy of the priority application has  
been filed in prior application Serial No. \_\_\_\_\_,  
filed \_\_\_\_\_.

13. X The prior application is assigned of record to Enzo Life Sciences,  
Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York,  
New York 10022. A copy of the Assignment is enclosed.

14. X A preliminary amendment is enclosed.

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Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

15.  The power of attorney in the prior application is to:  
Ronald C. Fedus, Reg. No. 32,567.

- (a)  The power appears in the original papers in the prior application.
- (b) \_\_\_\_\_ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) \_\_\_\_\_ A copy of a new substitute power of attorney is enclosed.
- (d)  A copy of a new Associate Power of Attorney is enclosed.
- (e)  Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.  
Enzo Life Sciences, Inc.  
c/o Enzo Biochem, Inc.  
527 Madison Avenue (9th Floor)  
New York, New York 10022-4304

16.  Oath or Declaration

- (a) \_\_\_\_\_ Newly executed (original or copy)
- (b)  Copy from a prior application (37 CFR 1.63(d))
- (c)  With Power of Attorney
- (D) \_\_\_\_\_ Without Power of Attorney

Stavrianopoulos, et al.

Serial No.: Not Yet Known

(Divisional of S. N. 10/096,075 filed March 12, 2002)

Filed: Herewith

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January 22, 2004)

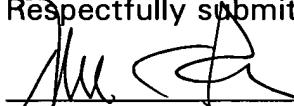
17.  I hereby verify that the attached papers are a true copy of prior application Serial No. 10/096,075, filed on March 12, 2002.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

January 22, 2004

Date

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

Inventor(s)  
 Assignee of Complete Interest  
 Attorney or Agent of Record  
 Filed under 37 CFR § 1.34(a)

Address of Signator:

Enzo Life Sciences, Inc.

c/o Enzo Biochem, Inc.

527 Madison Avenue (9th Floor)

New York, NY 10022-4304